



SOFER & HAROUN, L.L.P.  
DECLARATION, POWER OF ATTORNEY & PETITION

ATTORNEY DOCKET NO: 878-009

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**COMBINED DECLARATION, POWER OF ATTORNEY & PETITION**

**TYPE OF DECLARATION**

- ☒ [X] Utility  
☐ [ ] Design  
☐ [ ] Supplemental  
☐ [ ] Divisional  
☐ [ ] Continuation  
☐ [ ] Continuation-in-part  
☐ [ ] National Stage of the PCT

**INVENTORSHIP AND SPECIFICATION IDENTIFICATION**

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one is listed below) or a joint inventor (if plural inventors are named below) of the invention entitled:

**"AN ON-LINE SYSTEM AND METHOD FOR TRACKING THE PERFORMANCE OF A SELECTED REQUEST- FOR- PROPOSAL VENDOR OR BUYER"**

as described and claimed in the specification which

- ☐ [ ] is attached hereto.  
☒ [X] was filed on January 4, 2001  
☒ [X] as U.S. Serial Number. 09/754,843 ; or  
☐ [ ] Express Mail No.        (as serial number not yet known); and  
☐ [ ] was amended on                     .  
☐ [ ] was described and claimed in PCT International Application No. PCT/ /  
filed on                     ; and  
☐ [ ] as amended under PCT Article 19 and/or 34 on                     .

**REVIEW OF PAPERS AND DUTY OF CANDOR**

I have reviewed and understand the contents of the attached specification including the drawing and claims as amended by any amendment referred to below; and  
I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application, in accordance with 37 CFR 1.56(a); and

- ☐ [ ] in compliance with this duty there is attached an information disclosure statement.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign applications for patent applications for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

			<u>Priority Claimed</u>	
<u>                    </u>	<u>                    </u>	<u>                    </u>	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year/Filed)	Yes	No
<u>                    </u>	<u>                    </u>	<u>                    </u>	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year/Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, § 120 of any **United States Application(s)** listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States Application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

60/211,719	June 15, 2001	Pending
<u>                    </u>	<u>                    </u>	<u>                    </u>
(Application Serial No.)	(Filing Date)	(Status: Patented, Pending, Abandoned)

#### DECLARATION

I declare that all statements made above of my own knowledge are true and all statements made on information and belief are believed to be true; and these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

#### POWER OF ATTORNEY

I hereby appoint the following patent attorneys and/or patent agent(s) with full power of appointment, substitution and revocation to prosecute this application, to make alterations and amendments thereto, to receive the patent, and to transact all business in the Patent Office connected therewith.

Joseph Sofer (Reg. No. 34,438)  
Robert M. Haroun (Reg. No. 34,345)  
Thomas C. Hughes (Reg. No. 42,674)

Please address all telephone calls and correspondence to:

Robert M. Haroun  
**SOFER & HAROUN, L.L.P.**  
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Suite 1921  
New York, New York 10173  
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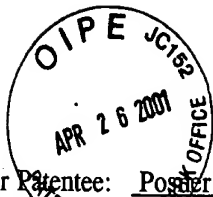
**PETITION**

Wherefore, I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the above-mentioned specification and claims, and I hereby subscribe my name to the foregoing Declaration, Power of Attorney & Petition with references to the above-identified specification and claims.

**SIGNATURES**

Name of first co-inventor: Enrique Posner  
Home Address: 350 E 82nd Street, Apt #2A, New York, NY 10028  
Post Office Address: The Same  
Citizenship: USA

Inventor's Signature:  Date: 3/31/01



Applicant or Patentee: Posner  
Attorney's Docket/Notation: 828-009  
Serial or Patent No.: 09/754,843  
Filed or Issued: January 4, 2001  
Title: ON-LINE SYSTEM AND METHOD FOR TRACKING THE PERFORMANCE...

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR**

As an above named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled

**ON-LINE SYSTEM AND METHOD FOR TRACKING THE PERFORMANCE OF A SELECTED REQUEST-  
FOR-PROPOSAL VENDOR OR BUYER**

described in

- ☐ the specification filed herewith  
☒ application serial no. 09/754,843 filed January 4, 2001  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ no such person, concern, or organization  
☒ persons, concerns or organizations listed below\*

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME ThinkChain Holdings, LLC  
ADDRESS 494 8<sup>th</sup> Avenue, 7<sup>th</sup> Floor, New York, NY 10001  
☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME: Enrique Posner

ADDRESS: 350 E 82<sup>nd</sup> Street, Apt #2A, New York, NY 10028

SIGNATURE



DATE

3/31/01



**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS**  
**(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN**

Applicant or Patentee: Posner  
Attorney's Docket No.: 878-009  
Serial or Patent No.: 09/754,843  
Filed or Issued: January 4, 2001  
Title: ON-LINE SYSTEM AND METHOD FOR TRACKING THE PERFORMANCE..

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN ThinkChain Holdings, LLC  
ADDRESS OF CONCERN 494 8th Avenue, 7th Floor  
New York, NY 10001

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☐ the specification filed herewith with title listed above.  
☒ the application identified above.  
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- ☐ no such person, concern, or organization exists.  
☒ each such person, concern or organization listed below

FULL NAME: Enrique Posner  
ADDRESS: 350 E. 82nd Street, Apt. #2A, New York, NY 10028  
[X] INDIVIDUAL    [ ] SMALL BUSINESS CONCERN    [ ] NONPROFIT ORGANIZATION

FULL NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
[X] INDIVIDUAL    [ ] SMALL BUSINESS CONCERN    [ ] NONPROFIT ORGANIZATION

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING  ENRIQUE POSNER

TITLE OF PERSON OTHER THAN OWNER \_\_\_\_\_

ADDRESS OF PERSON SIGNING 494 8<sup>th</sup> Avenue, 7th Floor

New York, NY 10001

SIGNATURE  DATE 3/31/01